

## Interview Summary

**Application No.**

10/777,828

**Applicant(s)**

CLAUSEN ET AL.

**Examiner**

Iqbal H. Chowdhury, Ph.D.

**Art Unit**

1652

All participants (applicant, applicant's representative, PTO personnel):

(1) Iqbal H. Chowdhury, Ph.D.

(3) \_\_\_\_\_

(2) Heather Ettinger.

(4) \_\_\_\_\_

Date of Interview: 14 December 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: \_\_\_\_\_

Identification of prior art discussed: \_\_\_\_\_


Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: There was an interview with the applicants representative regarding foreign priority document which is not present with the instant application and at the notice of allowability, the Examiner stated that no foreign priority document is provided. Applicants argue that the foreign priority document might present in parent case 09/831,630, which is a 371 of PCT/US99/26807. The Examiner could not find FP document in eDAN (scanned) of said parent case and agreed to look at the paper file of the parent case, wherein the FP document is found.

## Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record  
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

**DARBY &  
DARBY**

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7 World Trade Center  
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FRANKFURT

**INTELLECTUAL PROPERTY LAW**DATE: December 13, 2007

FILE #: 20406/1202533-US1

FACSIMILE NO.	RECIPIENT AND COMPANY	CONFIRMATION WILL FOLLOW
(571)277-8137 3	Examiner IQBAL H CHOWDHURY Office P/1652 Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	No

FROM: Flynn Barrison

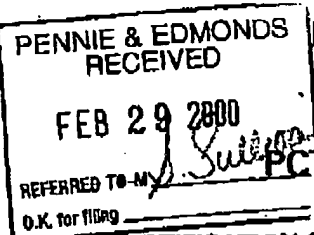
E-MAIL: fbarrison@darbylaw.com

PHONE: 212.527.7748

NO. OF PAGES: 6  
(including cover page)COMMENTS: Claims for Priority and Submission of Documents filed 12/12/07 for US  
Application Number 10/777,828 from Darby & Darby P.C. Thanks**PLEASE RETURN TO BRANDI JACOBS-GLYKIS****\* IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE US IMMEDIATELY AT 212.527.7774**

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{ W:\bj\misc\01233287.DOC (12/13/2007 10:49) }



## PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

To:

CORUZZI, Laura, A.  
Pennie & Edmonds LLP  
1155 Avenue of the Americas  
New York, NY 10036  
ÉTATS-UNIS D'AMÉRIQUE

**NOTIFICATION CONCERNING  
SUBMISSION OR TRANSMITTAL  
OF PRIORITY DOCUMENT**

(PCT Administrative Instructions, Section 411)

Date of mailing (day/month/year) 15 February 2000 (15.02.00)	<b>IMPORTANT NOTIFICATION</b>
Applicant's or agent's file reference 7188-157-228	
International application No. PCT/US99/26807	International filing date (day/month/year) 11 November 1999 (11.11.99)
International publication date (day/month/year) Not yet published	Priority date (day/month/year) 13 November 1998 (13.11.98)
Applicant CLAUSEN, Henrick et al	

1. The applicant is hereby notified of the date of receipt (except where the letters "NR" appear in the right-hand column) by the International Bureau of the priority document(s) relating to the earlier application(s) indicated below. Unless otherwise indicated by an asterisk appearing next to a date of receipt, or by the letters "NR", in the right-hand column, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).
2. This updates and replaces any previously issued notification concerning submission or transmittal of priority documents.
3. An asterisk (\*) appearing next to a date of receipt, in the right-hand column, denotes a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b). In such a case, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.
4. The letters "NR" appearing in the right-hand column denote a priority document which was not received by the International Bureau or which the applicant did not request the receiving Office to prepare and transmit to the International Bureau, as provided by Rule 17.1(a) or (b), respectively. In such a case, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

<u>Priority date</u>	<u>Priority application No.</u>	<u>Country or regional Office or PCT receiving Office</u>	<u>Date of receipt of priority document</u>
13 Nove 1998 (13.11.98)	1998 01483	DK	10 Febr 2000 (10.02.00)

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Authorized officer

Marc Salzman

Facsimile No. (41-22) 740 14 35

Telephone No. (41-22) 338.83.38

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	2582922
<b>Application Number:</b>	10777828
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	5885
<b>Title of Invention:</b>	UDP-GALACTOSE: BETA-N-ACETYL-GLUCOSAMINE BETA1,3 GALACTOSYLTRANSFERASES, BETA3GAL-T5
<b>First Named Inventor/Applicant Name:</b>	Henrik Clausen
<b>Customer Number:</b>	7278
<b>Filer:</b>	Pierre Yanney/Dwight Peck
<b>Filer Authorized By:</b>	Pierre Yanney
<b>Attorney Docket Number:</b>	20406/1202533-US
<b>Receipt Date:</b>	12-DEC-2007
<b>Filing Date:</b>	12-FEB-2004
<b>Time Stamp:</b>	19:03:23
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment		no			
<b>File Listing:</b>					
Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (If appl.)
1	Post Allowance Communication - Incoming	AoP.pdf	20219 0a21429715a6a229e1b715034a6311ee 839e459d	no	2
<b>Warnings:</b>					
<b>Information:</b>					

2	Miscellaneous Incoming Letter	01350968.pdf	29545 1299720a2020a0d6524b1d73adb0e1c2 8a0e653e6	no	1
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (In bytes):</b>				43764	
<p><b>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>          If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>          If a timely submission to enter the national stage of an International application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 Indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>          If a new international application is being filed and the international application includes the necessary components for an International filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

Application No.: 10/777,828

Docket No.: 20406/1202533-US1

A certified copy of the aforesaid Danish Patent Application was received by the International Bureau on February 10, 2000 during the pendency of International Application No. PCT/US99/26807. A copy of Form PCT/IB/304 evidencing this submission is enclosed. Note that the subject application is a Divisional of U.S. Serial No. 09/831,630, which is a 371 National Stage application of PCT/US99/26807.

Applicant respectfully requests the issuance of a Supplemental Notice of Allowance showing that the priority claim has been properly made,

Dated: December 12, 2007

Respectfully submitted,

By /FB/ Flynn Barrison (53,970)  
Heather Morehouse Ettinger  
Registration No.: 51,658  
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P.O. Box 770  
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Attorneys/Agents For Applicant



Docket No.: 20406/1202533-US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Henrik Clausen et al

Application No.: 10/777,828

Confirmation No.: 5885

Filed: February 12, 2004

Art Unit: 1652

For: UDP-GALACTOSE:BETA-N-ACETYL-  
GLUCOSAMINE BETA-1,3-  
GALACTOSYLTRANSFERASES, BETA-  
3GAL-T5

Examiner: M. N. Rao

**CLAIM FOR PRIORITY AND SUBMISSION OF DOCUMENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby claims priority under 35 U.S.C. 119 based on the following prior foreign application filed in the following foreign country on the date indicated:

<u>Country</u>	<u>Application No.</u>	<u>Date</u>
Denmark	1998 01483	November 13, 1998

PATENT COOPERATION TREATY

REFERRED TO-MY  
O.K. for filing \_\_\_\_\_

~~DOT Administrative Information Section - 491~~  
~~DOT Administrative Information Section - 491~~

REFERRED TO - Mr. J. Sullivan PCT

**To:**

**CORUZZI, Laura, A.**  
**Pennie & Edmonds LLP**  
**1155 Avenue of the Americas**  
**New York, NY 10026**  
**New York, NY 10026**  
**CORUZZI, Laura, A.**  
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**To:**